required to report such representation, as well as their opinion thereon, to the said commissioners, with the grounds of such their report and opinion; and that thereupon, if the said commissioners think fit, it shall be lawful for them or any two of them to direct the official referees to make such order in the matter as may appear to them to be requisite.

Power to modify Provisions of this Act as to existing Buildings to be rebuilt.

12. And be it enacted, with regard to buildings already built, so far as relates to the rebuilding thereof in conformity with this Act in respect of the required area, or in any other respect than the required height and thickness of walls, that if a full compliance with the provisions of this Act be attended by great loss and inconvenience, then, subject to the report of the official referees, and to the consent of the Commissioners of Works and Buildings, and to such terms as the said commissioners may impose in that behalf, it shall be lawful for the parties concerned to rebuild such buildings on the site of the old buildings as near as may be practicable, but so that nevertheless both the party-walls and the external walls be of the required height and thickness.

BUILDERS.

Works to be executed — Notice to Surveyor—20l. Penalty for Neglect to give Notice, &c.—20l. Penalty for not giving fresh Notices—Penalty for beginning without Notice; or Refusal to admit Surveyor—Emergency.

13. And be it enacted, with regard to the works to be executed in pursuance of this Act, so far as relates to the supervision thereof by the surveyors, that two days before the following acts or events, that is to say,—

Before any building shall be begun to be built; and also

Before any addition or alteration which by this Act is placed under the supervision of the surveyor, shall be made to any building; and also

Before any party-wall, external wall, chimney-stack, or flues shall be begun to be built, pulled down, rebuilt, cut into, or altered; and also

Before any opening shall be made in any party-wall; and also

Before any other matter or thing shall be done which by this Act is placed under the supervision of the surveyor, except as hereinafter is provided;

It shall be the duty of the builder (by which term is to be understood, both in this provision and elsewhere throughout this Act, the master builder or other person employed to execute any work, or if there be no master builder or other person so employed, then the owner of the building or other person for whom or by whose order such work is to be done), and he is hereby required to give to the surveyor, at his office, notice in the terms specified in the form (No. 1.) contained in the Schedule of Notices annexed to this Act, or to the like effect; and that if any builder neglect to give such notice, or begin to build, or do any of the things aforesaid, before such notice, or before the expiration of such period of two days, then in every such case the party offending shall for every such default forfeit and pay to such surveyor treble the amount of the fees which such surveyor would have been entitled to receive for his trouble in inspecting the same, and shall also forfeit for every such default a sum not exceeding twenty pounds; and that if for any period exceeding three months any builder, having duly begun any building requiring compliance with the provisions of this Act, suspend the progress of such building, and again go on with the same, or if during the progress thereof the builder be changed, then two days before such builder shall enter upon the performance of the work, it shall be the duty of such builder to give notice to the surveyor, and such notices must be in the terms specified in the forms (Nos. 2 and 3) contained in the Schedule of Notices annexed to this Act, or to the like effect, and must be given to the surveyor, or left at the surveyor's office, in like manner as is required upon beginning any new building, and that if any builder make default, or neglect to give or leave such notice, he shall forfeit for every such offence a sum not exceeding twenty pounds; and that if any such building, chimney, or wall be begun to be built, pulled down, rebuilt, cut into, or altered as aforesaid, or be proceeded with after any suspension of the progress thereof before such notice has been given; or if such surveyor or the official referees be refused admittance to inspect the same premises, then such building or work shall be liable to be abated as a nuisance under the provisions herein contained: provided always, that if by reason of any emergency any act, matter, or thing placed under the supervision of the surveyor be required to be done immediately, or before notice can be given to the surveyor, then it shall be lawful for the builder or any person to do such act, matter, or thing so requisite, but upon this condition, that within forty-eight hours after beginning to execute such work notice thereof be given to the surveyor.

BUILDINGS GENERALLY.

Supervision of Works — Notice of Irregularities to Builders and others—To cut into Works — Amendment of Works — Proceeding thereon by Official Referees—Costs.

14. And be it enacted, with regard to such buildings and works, so far as relates to the supervision thereof, that if in building, pulling down, rebuilding, cutting into, or altering any part of any building, or party-wall or external wall, or chimney-stack or flue, drains, cesspools, or any work or other thing be done contrary to or not conformably with the rules and directions of this Act, then forthwith it shall be the duty of the surveyor and he is hereby required to give forty-eight hours' notice according to the form (No. 4.) in the Schedule of Notices, or to the like effect, to the builder, foreman, or principal workman on the premises, to amend any such irregularity which he shall deem to have been committed, and forthwith after the expiration of such notice to proceed to inspect the work; and that if the work be so far advanced that he cannot ascertain whether the irregularity has been committed or not, or exists or not, then it shall be lawful for him and he is hereby empowered to order any work to be cut into, laid open, or pulled down, which shall in his opinion prevent his ascertaining whether any such irregularity exists or not; and that if within forty-eight hours the builder to whom any such notice shall have been given refuse or fail to amend any irregular work, or if any such builder, when ordered by the surveyor, refuse to cut into, lay open, or pull down any work which shall in his opinion prevent his ascertaining whether such irregular work exists or not, then, as soon as conveniently shall be, it shall be the duty of the surveyor to give information thereof to the official referees; and that upon the receipt of such information it shall be the duty of such official referees and they are hereby required to proceed to hear the matter, and if any breach of the rules, regulations, and directions of this Act be found to have been committed, or if there appear good reason to suppose any such breach has been committed and is concealed, then it shall be lawful for the official referees and they are hereby authorized to direct by their award that such building, party-wall, external wall, chimney-stack, flue, or other thing, or such part thereof as they shall deem necessary, shall be amended, removed, cut into, laid open, or pulled down; and that all the costs, charges, and expenses of the said work, and of the said application to the official referees, shall be borne by such party or parties as the official referees shall determine.

Special Supervision of First-rate Buildings of Second Class and of Buildings of Third Class—Notice to Official Referees—Survey — Approval—Disapproval —Amendment of Defects—Notice of Completion—New Survey—Certificate — Prohibition of Use—Penalty—Justices to consider Circumstances.

15. And now, for the purpose of making provision for the supervision of buildings of the first-rate of the second or warehouse class, and of all buildings of the third or public building class (except the buildings hereinbefore excepted), be it enacted, with regard to every such building, so far as relates to the special supervision thereof, that when all the walls of any such building shall have been built to their full height, and all the timbers of the floors, roofs, and partitions shall have been fixed, it shall be the duty of the architect or builder and he is hereby required to give notice thereof to the official referees, according to the form (No. 6.) in the Schedule of Notices, or to the like effect; and if the official referees be of opinion that such building is subject to the special supervision herein provided, then within seven days after such notice it shall be their duty to survey the said building; and that if they approve of the same, then within seven days after such survey to certify such approval, under their hands, to the architect or builder; or that if any part of the walls, timbers, roof, or internal supports appear to such official referees defective, insufficient, or insecure, then within the said seven days after such survey they are hereby required to give to such architect or builder notice of such parts as shall so appear to them defective, insufficient, or insecure, which notice must be in writing; and that upon the receipt of such notice it shall be the duty of the said architect or builder and he is hereby required to amend and strengthen such defective, insufficient, or insecure parts; and that during or within a period of seven days after notice has been given to the official referees that such works have been amended or strengthened as aforesaid, it shall be the duty of the official referees and they are hereby required to inspect the same, or in default thereof the said parts may be covered up; and that upon completion of every such building it shall be the duty of the architect or builder to give fresh notice to the official referees, according to the form (No. 7.) in the Schedule of Notices, or to the like effect; and that thereupon, or within seven days after such notice, it shall be the duty of the official referees to survey the same; and that if upon such survey it shall appear that such building has been built sufficiently strong, and is sufficiently set to be safe, then within fourteen days after such survey it shall be their duty and they are hereby required to certify accordingly, which certificate must be under their hands and the seal of office of Registrar of Metropolitan Buildings; and that, until such certificate shall have been made, or until fourteen days after such survey shall have elapsed without the official referees having given notice in writing that they are not satisfied, it shall not be lawful to use such building for any purpose whatever without the express authority in writing of the official referees under their hands and the seal of office of the Registrar of Metropolitan Buildings; and that if before the certificate of satisfaction shall have been made, or if such further fourteen days as aforesaid shall have elapsed without due notice being given in writing as aforesaid, any such building subject to special supervision shall be used for any purpose without such express authority in writing, then, on conviction thereof before two justices of the peace, the occupier of such building, or other the person by whom such building shall be so used, shall forfeit for such offence a sum not exceeding two hundred pounds for every day during which such building shall be so used without having obtained such certificate of satisfaction, or such express authority as aforesaid; and that, in determining the amount of any such penalty, it shall be the duty of the justices and they are hereby directed to have regard to the size and character of the building, and to the nature and extent of danger involved in the use of such building, and to the amount of profit which might be derived from such use thereof.

Special Supervision of Buildings in Schedule (B.). Part 1.—Survey by Official Referees—Occasional Inspection—Notice of Deficiencies—Amendment of Defects—Approval by Official Referees—Notice of Completion—New Survey Certificate—Prohibition of Use—Penalty—Justices to consider Circumstances.

16. And be it enacted, with regard to the buildings comprised in schedule (B.) Part 1. to this Act annexed, so far as relates to the supervision thereof, that before the builder begin to build the same it shall be the duty of the architect or the builder and he is hereby required to give notice thereof to the official referees, and also, at the same time, to transmit for their inspection the plans, elevations, and other drawings which have been made for the same; and that forthwith thereupon it shall be the duty of the official referees and they are hereby required to proceed to survey the situation of the intended building with a view to ascertain whether such building can be erected on such situation with due regard to the security of the public; and that, from time to time during the progress of such building, it shall be the duty of such official referees and they are hereby directed to inspect the same with a view to ascertain the sufficiency thereof; and that if such building or any part thereof appear to such official referees defective, insufficient, or insecure, then they are hereby required to give to such architect or builder notice of such parts as shall so appear to them defective, insufficient, or insecure, which notice must be in writing; and that upon the receipt of such notice it shall be the duty of the said architect or builder and he is hereby required to amend and strengthen such defective, insufficient, or insecure parts; and that during or within a period of seven days after notice has been given to the official referees that such works have been amended or strengthened as aforesaid, it shall be the duty of the official referees and they are hereby required to inspect the same, or in default thereof the said parts may be covered up: and that upon completion of every such building it shall be the duty of the architect or builder to give fresh notice to the official referees; and that thereupon, or within seven days after such notice, it shall be the duty of the official referees to survey the same; and that if upon such survey it shall appear that such building has been built sufficiently strong; then it shall be their duty to certify accordingly, which certificate must be under their hands and the seal of office of Registrar of Metropolitan Buildings; and that until such certificate shall have been made, or until fourteen days after such survey shall have elapsed without the official referees having given notice in writing that they are not satisfied, it shall not be lawful to use such building for any purpose whatever without the express authority in writing of the official referees under their hands and the seal of office of the Registrar of Metropolitan Buildings; and that if before the certificate of satisfaction shall have been made, or if such fourteen days as aforesaid shall have elapsed without due notice in writing being given as aforesaid, any such building subject to special supervision shall be used for any purpose without such express authority in writing, then, on conviction thereof before two Justices of the peace, the occupier of such building, or other the person by whom such building shall be so used, shall forfeit for such offence a sum not exceeding one hundred pounds for every day during which such building shall be so used without having obtained such certificate of satisfaction or such express authority as aforesaid; and that, in determining the amount of any such penalty, it shall be the duty of the Justices and they are hereby directed to have regard to the nature and extent of danger involved in the use of such building, and to the amount of profit which might be derived from such use thereof.

Entry on Premises—Refusal to permit Inspection—Forcible Entry.

17. And be it enacted, with regard to buildings and works, so far as relates to the entry thereon for the supervision thereof, that at all times during the progress of any operations in respect thereof within the meaning of this Act, it shall be lawful for the surveyor and the official referees, and they are hereby respectively authorized, to enter upon the premises upon which such operations have been commenced; and that if at any time whilst any building is in course of construction, demolition, alteration, or re-construction any person refuse to admit the surveyor, or the official referees authorized under this Act, during the customary working hours, to inspect such building, or any person refuse or neglect to afford such surveyor or official referee every assistance which may be reasonably required in and about such inspection, then in every such case on conviction thereof the party offending shall forfeit for every such offence a sum not exceeding twenty pounds: and that if at any time during such customary working hours the surveyor or the official referees be refused admittance to make inspection of any work, then for that purpose it shall be lawful for such surveyor or for such official referees, and they are hereby empowered, accompanied by a peace officer, to enter upon the ground, building, and premises where the same shall be.

All Buildings not according to this Act declared a Nuisance—Summons before Justices—Compulsory Appearance—Recognizances to pull down and amend —Imprisonment—Removal of Buildings declared Nuisances—Expenses.

18. And for the purpose of more effectually en-

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